

1 **JOINT CASE MANAGEMENT STATEMENT & PROPOSED ORDER**
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6 UNITED STATES DISTRICT COURT
7 NORTHERN DISTRICT OF CALIFORNIA
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10) DANIEL VILLALPANDO, individually and) Case Number: 12-cv-04137-JCS
11) on behalf of all others similarly situated,)
12)) Case Number: 13-cv-03091-JCS
13) Plaintiff(s),)
14)) JOINT CASE MANAGEMENT
15) vs.) STATEMENT AND REQUEST TO
16) EXEL DIRECT INC., DEUTSCHE POST) CONTINUE CASE MANAGEMENT
17) DHL, DHL EXPRESS (USA), INC., and) CONFERENCE; [PROPOSED] ORDER
18) DOES 1 to 50,)
19))
20) Defendant(s).)
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16 The related *Villalpando v. Exel Direct Inc.*, No. 3:12-cv-04137-JCS, and *Shekur v. Exel*
17 *Direct Inc.*, No. 4:13-cv-03091-JCS cases are putative class actions alleging violations of
18 California wage and hour laws arising out of Defendants' classification of delivery drivers as
19 independent contractors. On April 8, 2013, the Court scheduled a case management conference
20 for August 23, 2013, in *Villalpando*, to allow the parties an opportunity to have a mediation
21 before Mark Rudy before establishing a revised case management schedule. ECF No. 43. On
22 August 8, 2013, the Court granted the parties' unopposed request to have the later-filed case of
23 *Shekur*, designated as related to *Villalpando*, and reassigned to this Court. ECF No. 49. On
24 August 13, 2013, the parties and counsel in both *Villalpando* and *Shekur* appeared for a
25 mediation with Mark Rudy. The parties made progress, but did not resolve the matter at the
26 mediation. With the assistance of Mr. Rudy, the parties agreed to continue their negotiations
27 over a two-week period to determine if the case might be resolved before resuming formal
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1 litigation. Accordingly, to avoid the possibility of expending resources of the Court and the
2 parties in planning a litigation schedule before the parties determine whether a settlement at this
3 stage is possible, the parties respectfully request that the Court grant a short continuance of the
4 case management conference for two weeks or a date shortly thereafter that is convenient to the
5 Court.

6 DATED: August 20, 2013

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12 DATED: August 20, 2013

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DATED: August 20, 2013

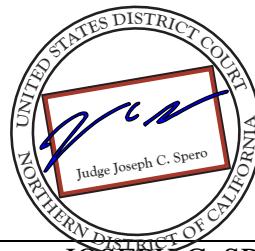
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1 **CASE MANAGEMENT ORDER**

2 Good cause shown, the Court hereby continues the Case Management Conference
3 currently scheduled for August 23, 2013 at 1:30 p.m., to September 13, _____, 2013 at 1:30
4 _____][p.m.]. A joint case management conference statement shall be filed by
5 September 6 _____, 2013.

6 IT IS SO ORDERED.

7 Dated: 8/21/13



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JOSEPH C. SPERO
9 UNITED STATES MAGISTRATE JUDGE

10 4825-5097-3717, v. 2